

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13300 of 2023

Arising Out of PS. Case No.-102 Year-2020 Thana- SONBERSA District- Sitamarhi

Prakash Yadav @ Rampragash Ray Son Of Bachcha Ray R/O Village-
Indarwa P.S.- Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 8, 20(b)(ii)
(c) of the N.D.P.S. Act.

As per allegation in FIR, after getting secret
information, the police party reached at pillar no. 320/1(26) at
the India-Nepal border and seized 40 kg ganja like substance
which was kept in bags. One co-accused apprehended on spot
who disclosed that other accused persons including the
petitioner fled away after throwing the bags.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Neither the petitioner was
arrested on spot nor any incriminating article has been



recovered from his conscious possession. The petitioner has no concern with the alleged recovery of ganja like substance rather his name was sprang up in this case on the basis of disclosure made by apprehended co-accused namely, Suresh Ram who is already getting the privilege of bail granted by a co-ordinate Bench of this Court vide order 9.4.2021 passed in Cr. Misc. No. 6656 of 2021 and in support of this Annexure-2 series has been annexed with this petitioner. It is further submitted that the petitioner is languishing in judicial custody since 11.1.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sonbarsa P.S. Case No. 102 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Sitamarhi.

(Sunil Kumar Panwar, J)

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